

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

99 JUL 20 AM 11:02
U.S. DISTRICT COURT
N.D. OF ALABAMA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) CV 99-J-1034-S
)
EUGENE L. ELLIOTT, III,)
)
Defendant.)

ENTERED
asl
JUL 20 1999

FINDINGS AND CONCLUSIONS

This cause coming on to be heard on the written motion of Plaintiff, supported by affidavit, for Judgment by Default in favor of Plaintiff and against Defendant, Eugene L. Elliott, III, pursuant to Rule 55, Federal Rules of Civil Procedure, the Court makes the following findings and conclusions:

1. The Summons and Complaint were served upon Defendant on June 8, 1999; Defendant has failed to appear, plead, or otherwise defend.
2. Defendant, Eugene L. Elliott, III, is not an infant or incompetent person, nor has Defendant been in the military service of the United States since the filing of this suit or for a period of six months prior to such filing.
3. Defendant, Eugene L. Elliott, III, is indebted to Plaintiff in the principal sum of \$21,423.27, U.S. Marshal costs of \$175.19, court costs of \$150.00 pursuant to 28 U.S.C. § 2412 (a)(2), accrued interest of \$5,715.77 as of July 14, 1999, and at the rate of 8.25% per annum until date of judgment, plus interest at the prevailing legal rate from the date of judgment.

4. Plaintiff is due to recover from Defendant, Eugene L. Elliott, III, the sum of \$27,464.23, plus interest hereafter at the prevailing legal rate per annum until paid in full, plus any additional costs. An abstract of judgment will be entered accordingly.

Done this the 20 day of JULY, 1999.


UNITED STATES DISTRICT JUDGE